

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HUI HUI YU, CHENG KAI YU, and
CHENG KAI YU REVOCABLE TRUST,

Plaintiffs,

-against-

ORDER

CV 10-2943 (JS)(ETB)

TOWN OF SOUTHOLD IN SUFFOLK COUNTY
NEW YORK, SCOTT A. RUSSELL (Chief Executive),
SOUTHOLD TOWN JUSTICE COURT, WILLIAM H.
PRICE, Jr. (Chief Justice), RUDOLPH H. BRUER (Justice),
the OFFICE OF THE TOWN ATTORNEY, MARTIN
FINNEGAN, Esq. (Town Attorney), LORI HULSE
[MONTEFUSCO], Esq. (Assistant Town Attorney), the
SOUTHOLD TOWN BOARD OF TRUSTEES, JILL M.
DOHERTY (President, Trustee), JAMES KING (President,
Trustee), the SOUTHOLD TOWN POLICE DEPARTMENT,
CARLISLE COCHRAN (Chief), FRANK KRUSZESKI
(Lieutenant), DONALD DZENKOWSKI (Bay Constable),
ANDREW C. EPPLE, Jr. (Bay Constable), DAVID M. OKULA
(Police), SOUTHOLD TOWN ZONING BOARD, SOUTHOLD
TOWN TAX RECEIVER and ASSESSORS, JOHN DOES and
JANE DOES, individually and in their official capacities,

Defendants.
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The plaintiff's application dated October 5, 2012 to be relieved as counsel is denied as moot since the sole remaining issue in this action is an excessive force claim in which the plaintiff, reportedly a licensed attorney in New York, is the sole claimant. Thus, in the absence of new counsel, plaintiff must represent herself.

The plaintiff is directed to file a list of trial witnesses and trial exhibits on or before November 6, 2012. The defendant shall file a pre-trial order pursuant to Judge Seybert's rules, except that the filing will not be joint.

The plaintiff's failure to comply with this Order will expose the plaintiff's sole

remaining cause of action to sanctions, including preclusion and dismissal. The fact that plaintiff has not retained counsel to represent her on this sole remaining cause of action will not be considered as justification for non-compliance.

The final conference is re-scheduled to November 13, 2012 at 11:00 a.m. with E. Thomas Boyle, United States Magistrate Judge. Defendant's counsel is directed to initiate the conference call and have all parties on the line before connecting the court (631-712-5710). The call must be placed through the teleconference operator provided by your long-distance service. All counsel must participate.

No request for adjournment will be considered unless made at least forty-eight (48) hours before the scheduled conference. All requests should be in writing, on consent of all parties, and contain at least two (2) adjourned dates on which all parties are available. In the absence of consent, an explanation of counsel's efforts to obtain agreement should be stated. All requests for adjournments should be sent to chambers via ECF on notice to all parties.

SO ORDERED:

Dated: Central Islip, New York
October 16, 2012

/s/ E. Thomas Boyle
E. THOMAS BOYLE
United States Magistrate Judge